IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:10-cv-00016

MICHAEL R. DEAN, Co-Administrator C.T.A., Estate of Helen P. Pauls,)
and)
EVANTHIA F. PAPPAS, Co-Administrator C.T.A., Estate of Helen P. Pauls,	ORDER
Plaintiffs,)
v.)
UNITED STATES OF AMERICA,)
Defendant.)

THIS MATTER is before the Court on Plaintiffs' Motion to in Limine to Exclude a Government Witness and Objections to Defendant's Proposed Exhibits (D.I. 49). For the reasons stated during jury selection on December 5, 2011, Plaintiffs' Motion is GRANTED IN PART and DENIED IN PART.

This Court will not allow Defendant's proposed witness Anthony N. Treat to testify at trial. However, this Court will allow Defendant's proposed witness Nancy S. Booker to testify at trial. Furthermore, this Court will allow the Defendant to proffer its proposed Exhibits 7 and 8, and will allow admission of those exhibits into evidence contingent upon Defendant laying the proper foundation for admission.

SO ORDERED.

Signed: December 13, 2011

Graham C. Mullen

United States District Judge